

1 STEVEN G. KALAR
2 Federal Public Defender
3 ELIZABETH M. FALK
Assistant Federal Public Defender
3 19th Floor Federal Building
4 450 Golden Gate Avenue
San Francisco, CA 94102
(415) 436-7700

5 Counsel for Defendant SHELLS

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9
10 UNITED STATES OF AMERICA,) No. CR 12-831 RS
11 Plaintiff,)
12 v.) **STIPULATION AND [PROPOSED]
13 RUBEN QUINTIN SHELLS,) ORDER FOR CONTINUANCE OF
14 Defendant.) STATUS CONFERENCE
15) AND EXCLUSION OF TIME
Date: February 19, 2013
Time: 2:30 p.m.
Court: The Honorable Richard Seeborg**

16
17 The parties hereby stipulate and agree as follows:

- 18 1. This matter is currently set for a status conference on February 19, 2013 at 2:30
19 p.m.;
- 20 2. Defense counsel has reviewed the forensic discovery, but needs to do further
21 investigation related to possible defenses in the case. Moreover, the parties intend
22 to meet over the coming week over a proposed plea agreement that has not yet
23 been finalized by the government;
- 24 3. Counsel for the government has been contacted and has no objection to the
25 continuation;
- 26 4. The defense thus requests that the status conference be continued to March 5,

2013 at 2:30 p.m.

5. Further, and in light of the foregoing, the parties stipulate and jointly request that time be excluded from the Speedy Trial Act calculations from Tuesday, February 19, 2013 through Tuesday, March 5, 2013 on the grounds of effective preparation of counsel. The parties agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv)..

IT IS SO STIPULATED.

Dated: February 15, 2013

/s/
ELIZABETH M. FALK
ASSISTANT FEDERAL PUBLIC DEFENDER

Dated: February 15, 2013

J. MARK KANG /s/ _____
SPECIAL ASSISTANT UNITED STATES ATTORNEY

1
2 **[PROPOSED] ORDER**
3

4 For the reasons set forth above, the hearing in the aforementioned matter is hereby
5 CONTINUED from February 19, 2013 to March 5, 2013 at 2:30 p.m.

6 In addition, for the reasons stated above, the Court finds that an exclusion of time from
7 Tuesday, February 19, 2013 through Tuesday, March 5, 2013 is warranted and that the ends of
8 justice served by the continuance outweigh the best interests of the public and the defendant in a
9 speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A).

10
11 **IT IS SO ORDERED.**
12

13
14 DATED: 2/15/13
15

16
17
18
19
20
21
22
23
24
25
26



THE HONORABLE RICHARD SEEBOORG
UNITED STATES DISTRICT JUDGE